

RECEIVED
CENTRAL FAX CENTER

JAN 25 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. :10/633,738
Inventor(s) :Myatt, Graham, John et al.
Filed :August 4, 2003
Art Unit :1623
Examiner :White, Everett
Docket No. :9151R
Confirmation No. :5595
Customer No. :27752
Title :Compositions Comprising a Defined Polysaccharide Component

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PENDING APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The owner, The Procter & Gamble Company, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 and §173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending Application Number 10/633,965, filed on August 4, 2003. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the pending application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 and §173 of any patent granted on the said pending application, as the term of any patent granted on said application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending application, in the event that any such patent granted on the pending application: expires

Appl. No. 10/633,738
Atty. Docket No. 9151R
Dated: January 25, 2006
Reply to Office Action of November 30, 2005
Customer No. 27752

for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

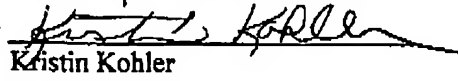
The undersigned is an attorney or agent of record.

Authorization is given to charge Deposit Account No. 16-2480 for the fee required under 37 C.F.R. §1.20 (d) of \$130.00 for submission of this Terminal Disclaimer. A duplicate copy of this correspondence is enclosed to facilitate charging of the fee.

Respectfully Submitted,

THE PROCTER & GAMBLE COMPANY

By



Kristin Kohler
Registration No. 41,907
(513) 622-3371

Date: January 25, 2006
Customer No. 27752
(Trmadisc.doc)
(Last revised 11/22/2005)